

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/743,874
Attorney Docket No.: Q78611

REMARKS

The Office Action of September 2, 2005 has been received and its contents carefully considered.

Claims 1 to 15 are all the claims pending in the application prior to the present amendment.

The Examiner has attached to the Office Action an Interview Summary of the telephone conferences undersigned counsel had with the Examiner and on August 9, 2005 and August 30, 2005. The Interview Summary sets forth the substance of those conferences.

The Examiner has objected to claims 4 and 5 as depending on a rejected base claim. The Examiner states in the Office Action that claims 4 and 5 would be allowable if re-written in independent form.

In response, applicants have canceled claim 3 and amended claim 4 to place it independent form. Accordingly, applicants submit that claim 4, and claim 5 which depends from claim 4, are allowable.

Claims 1, 2, 12 and 13 have been provisionally rejected under the judicially created doctrine obviousness-double patenting as being unpatentable over claims 20-26 of co-pending Application No. 10/466,517 in view of the newly cited JP '110 reference to Sato et al.

In response, applicants enclose herewith a Submission of Terminal Disclaimer with an executed Terminal Disclaimer and the appropriate fee.

Applicants request withdrawal of this rejection in view of the submission of the executed Terminal Disclaimer.

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Claims 1, 2, 12 and 13 have been rejected under 35 U.S.C. § 103(a) as obvious over JP '110 in view of the previously cited U.S. Patent 4,910,645 to Jonas et al.

The Examiner states that JP '911 does not disclose the specific thiophene that is recited in claims 1, 2, 12 and 13. The Examiner relies on Jonas et al for disclosing a polythiophene of formula (I).

The Examiner argues that it would have been obvious to employ the specific thiophene of Jonas et al as the aromatic thiophene compound disclosed in JP '911.

In response, applicants have amended independent claims 1 and 12 to state that the electroconducting polymer is formed by setting the humidity in the atmosphere of the polymerization process to from 10% to less than 60%. Neither JP '911 nor Jonas et al disclose or suggest this feature.

In view of the above, applicants submit that claims 1, 2, 12 and 13 are patentable over JP '110 and Jonas et al, and accordingly, request withdrawal of this rejection.

With respect to non-elected claims 6 to 11, applicants have amended claims 6 to 9 and 11 so that they are directed to a solid electrolytic capacitor and so that they depend either directly or indirectly from allowable claim 4. In addition, applicants have canceled claim 10.

In particular, applicants have amended claim 6 to direct it to a solid electrolytic capacitor according to claim 4, and to delete language that, in essence, now appears in amended claim 4.

Applicants have amended claim 7 to direct it to a solid electrolytic capacitor, to change "formula (1b)" to --formula (3b)--, and to delete the phrase "and δ represents a number of from 0 to 1" that appears at the end of the claim.

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Similarly, applicants have amended claims 8, 9 and 11 to direct them to a solid electrolytic capacitor and have amended claim 8 to delete its dependency on claim 3.

With respect to withdrawn claims 14 and 15, applicants request that they be rejoined upon the allowance of claims 12 and 13 from which they depend.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

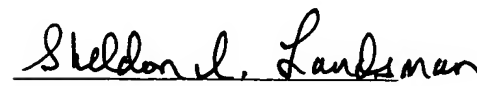
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